

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BRENDAN NASBY,

Case No. 3:07-cv-00304-LRH-WGC

Petitioner,

v.

ORDER

TIM GARRETT, et al.,

Respondents.

This habeas matter is before the Court on Petitioner Brendan Nasby's unopposed Motion to Extend Time (ECF No. 220). Generally, an appeal in a civil case must be taken within 30 days after the entry of judgment. Fed. R. App. 4(a). Rule 4(a) of the Federal Rules of Appellate Procedure ("FRAP") is the exclusive avenue for relief from the expiration of the period to file a timely notice of appeal. *See In re Stein*, 197 F.3d 421, 426–27 (9th Cir. 2000). Rule 4(a) provides as follows:

The district court may extend the time to file a notice of appeal if:

- (i) a party so moves no later than 30 days after the time prescribed by this Rule 4(a) expires; and
- (ii) regardless of whether its motion is filed before or during the 30 days after the time prescribed by this Rule 4(a) expires, that party shows excusable neglect or good cause.

FRAP 4(a)(5)(A).

Good cause appearing, the Court grants Petitioner's motion to extend. Petitioner has until May 27, 2022 to file his notice of appeal.

IT IS THEREFORE ORDERED that Petitioner's Motion to Extend Time (ECF No. 220) is GRANTED.

DATED this 2nd day of May 2022.


LARRY R. HICKE
UNITED STATES DISTRICT JUDGE